

## STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-20567 (NEW SERIES)

DATE OF FINAL PASSAGE NOVEMBER 14, 2015

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 113.0103; BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 1 BY AMENDING SECTION 131.0112; AND BY AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 131.0422, RELATING TO THE DEFINITION AND REGULATION OF ROOMING HOUSES.

### §113.0103 Definitions

*Abutting property through Roof sign* [No change in text.]

*Rooming house* means a *dwelling unit* where three or more rooms, excluding kitchens and bathrooms, are rented to three or more individuals ~~individually or~~ ~~separately, to tenants~~ under three or more separate rental agreements or leases.

Housing protected by federal or state law, including housing for persons protected under the Fair Housing Act (42 USC U.S.C. section ~~3604 (f)~~ 3604(f)) and the California Fair Employment and Housing Act (California Government Code section ~~12920~~ 12900 ~~et seq.~~ et seq.), or housing otherwise subject to the City's Separately Regulated Use regulations in Chapter 14, Article 1, shall not constitute a *rooming house*.

*School through Yard* [No change in text.]

**§131.0112 Descriptions of Use Categories and Subcategories**

- (a) The following are descriptions of each use category and subcategory found in the Use Regulations Tables of each base zone. These descriptions shall be used to classify specific uses into use subcategories for the purpose of determining applicable use regulations, in accordance with Section 131.0110. A description of separately regulated uses is located in Section 131.0112(b).

(1) through (2) [No change in text.]

(3) Residential Use Category

This category includes uses that provide living accommodations for one or more persons. The residential subcategories are:

- (A) *Rooming houses.* ~~Dwellings where rooms are rented, individually or separately, resulting in multiple, independent living units where tenants do not share common access or financial responsibility for use of the dwelling unit as a whole. Pursuant to Section 127.0102(d), all previously conforming rooming houses shall be unlawful three years from the effective date of Ordinance O-2008-61.~~ Rooming house has the same meaning as in San Diego Municipal Code Section 113.0103.

(B) through (D) [No change in text.]

(4) through (11) [No change in text.]

- (b) [No change in text.]

**§131.0422 Use Regulations Table for Residential Zones**

The uses allowed in the residential zones are shown in the Table 131-04B.

**Legend for Table 131-04B**

[No change in text.]

**Table 131-04B**  
**Use Regulations Table for Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																								
	1st & 2nd >>	RE-	RS-												RX-		RT-									
	3rd >>	1-	1-												1-		1-									
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4	5	
Open Space through <b>Signs</b> , Separately Regulated <b>Signs</b> Uses, Theater <i>Marquees</i> [No change in text.]		[No change in text.]																								

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	RM-											
	3rd >>	1-			2-			3-			4-		5-
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12
Open Space through Residential, <i>Multiple Dwelling Units</i> [No change in text.]		[No change in text.]											
Rooming House [See Section 131.0112(a)(3)(A)]		- <u>P</u>			- <u>P</u>			P			P		P
Residential, <i>Single Dwelling Units</i> through <i>Signs</i> , Separately Regulated <i>Signs</i> Uses, Theater <i>Marquees</i> [No change in text.]		[No change in text.]											

**Footnotes for Table 131-04B** [No change in text.]

SMT:als

06/23/2015

Or.Dept: Council District 9

Doc. No.: 1031237